

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7953 of 1996

WITH

SPECIAL CIVIL APPLICATION NO 7967 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

Nos. 1 to 5 No.

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SITARAM K RAVAL

Versus

DIST PRIMARY EDUCATION OFFICER

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Appearance:

Spl.C.A.No. 7953 of 1996.

MR IM PANDYA for Mr.Y.S.Lakhani for Petitioner

MR BN PATEL for Respondent No. 1

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Spl.C.A.No. 7967 of 1996.

Mr.Y.S.Lakhani for Petitioner.

Mr.B.N.Patel for Respondent.

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CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 30/01/97

ORAL JUDGEMENT

Rule. Mr.B.N.Patel waives the service of the Rule on behalf of the Respondent in both these Special Civil Applications.

Mr.B.N.Patel has filed reply on behalf of the respondent in both these Special Civil Applications. In the reply it is admitted that the petitioners had higher merit and yet by mistake they were left out at the time when the select list was prepared for the post of primary teachers. In view of this reply, it is directed that the petitioners shall be considered according to their merit position for the purpose of selection for the post of primary teachers and in case the petitioners names are included in the select list corresponding to their merit they shall also be given appointments like others without causing any prejudice to them merely because their names were not earlier included in the select list.

Both these Special Civil Applications are accordingly allowed and it is directed that appropriate orders shall be issued by the respondent within a period of two weeks. Rule is made absolute accordingly. No order as to costs.

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